

REISSUE PATENT APPLICATION TRANSMITTAL

Address to:

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MAIL STOP REISSUE
P.O. Box 1450
Alexandria, VA 22313-1450

Attorney Docket No.

01387RE/HG

First Named Inventor

Kamiya

Original Patent Number

6,063,806

Original Patent Issue Date
(Month/Day/Year)

05/16/2000

Express Mail Label No.

EV 335 579 226 US

APPLICATION FOR REISSUE OF:

(Check applicable box)



Utility Patent



Design Patent



Plant Patent

APPLICATION ELEMENTS (37 CFR 1.173)

1. ☒ Fee Transmittal Form (PTO/ SB/ 56)
(Submit an original, and a duplicate for fee processing)
2. ☐ Applicant claims small entity status. See 37 CFR 1.27.
3. ☒ Specification and Claims in double column copy of patent
format (amended, if appropriate)
4. ☐ Drawing(s) (proposed amendments, if appropriate)
5. ☒ Reissue Oath/Declaration (original or copy)
(37 C.F.R. § 1.175) (PTO/SB/51 or 52)
6. ☒ Power of Attorney
7. Original U.S. Patent currently assigned? ☒ Yes ☐ No
(If Yes, check applicable box(es))
 - ☒ Written Consent of all Assignees (PTO/SB/53)
 - ☒ 37 C.F.R. § 3.73(b) Statement
(PTO/SB/96)
8. ☐ CD-ROM or CD-R in duplicate, Computer Program (Appendix)
or large table
9. Nucleotide and/or Amino Acid Sequence Submission
(if applicable, all of the following are necessary)
 - a. ☐ Computer Readable Form (CRF)
 - b. Specification Sequence Listing on:
 - i. ☐ CD-ROM (2 copies) or CD-R (2 copies); or
 - ii. ☐ paper
 - c. ☐ Statements verifying identity of above copies

ACCOMPANYING APPLICATION PARTS

10. ☒ Statement of status and support for all changes
to the claims. See 37 CFR 1.173 (c).
11. ☐ Original U.S. Patent for surrender
 - ☐ Ribbioned Original Patent Grant
 - ☐ Statement of Loss (PTO/SB/55)
12. ☒ Foreign Priority Claim (35 U.S.C. 119)
(if applicable)
13. ☒ Information Disclosure Statement (IDS)/PTO-1449 ☒ Copies of IDS
Citations
14. ☐ English Translation of Reissue Oath/Declaration
(if applicable)
15. ☒ Preliminary Amendment
16. ☒ Return Receipt Postcard (MPEP 503)
(Should be specifically itemized)
17. Other: _____

18. CORRESPONDENCE ADDRESS



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Marshall J. Chick

Registration No. (Attorney/Agent)

26853

Signature

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6/27/03

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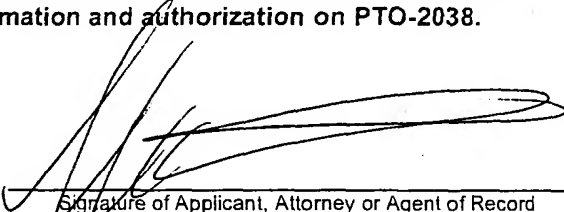
Laraine Dobies
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06/27/03

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REISSUE APPLICATION FEE TRANSMITTAL FORM						Docket Number (Optional)	
Claims as Filed - Part 1							
Claims in Patent		Number Filed in Reissue Application	(3) Number Extra	Small Entity		Other than a Small Entity	
				Rate	Fee	Rate	Fee
(A) 19	Total Claims (37 CFR 1.16(j))	(B) 13	**** 0 =	x \$ _____ =		or	x \$ _____ =
(C) 1	Independent claims (37 CFR 1.16(i))	(D) 1	* 0 =	x \$ _____ =			x \$ _____ =
Basic Fee (37 CFR 1.16(h))					\$ _____		\$ 750.00
Total Filing Fee					\$ _____	OR	\$ 750.00
Claims as Amended - Part 2							
	(1) Claims Remaining After Amendment	(2) Highest Number Previously Paid For	(3) Extra Claims Present	Small Entity		Other than a Small Entity	
				Rate	Fee	Rate	Fee
Total Claims (37 CFR 1.16(j))	***	MINUS	**	=	x \$ _____ =		x \$ _____ =
Independent Claims (37 CFR 1.16(i))	***	MINUS	*****	=	x \$ _____ =		x \$ _____ =
Total Additional Fee					\$ _____	OR	\$ _____
<p>* If the entry in (D) is less than the entry in (C), Write "0" in column 3.</p> <p>** If the "Highest Number of Total Claims Previously Paid For" is less than 20, Write "20" in this space.</p> <p>*** After any cancellation of claims.</p> <p>**** If "A" is greater than 20, use (B - A); if "A" is 20 or less, use (B - 20).</p> <p>***** "Highest Number of Independent Claims Previously Paid For" or Number of Independent Claims in Patent (C).</p> <p><input type="checkbox"/> Applicant claims small entity status. See 37 CFR 1.27.</p> <p><input type="checkbox"/> Please charge Deposit Account No. _____ in the amount of _____ A duplicate copy of this sheet is enclosed.</p> <p><input checked="" type="checkbox"/> The Commissioner is hereby authorized to charge any additional fees under 37 CFR 1.16 or 1.17 which may be required, or credit any overpayment to Deposit Account No. <u>06-1378</u> A duplicate copy of this sheet is enclosed.</p> <p><input checked="" type="checkbox"/> A check in the amount of \$ <u>750.00</u> to cover the filing / additional fee is enclosed.</p> <p><input type="checkbox"/> Payment by credit card. Form PTO-2038 is attached.</p> <p style="text-align: center;">WARNING: Information on this form may become public. Credit card information should not be included on this form. Provide credit card information and authorization on PTO-2038.</p> <div style="display: flex; justify-content: space-between; margin-top: 20px;"> <div style="width: 40%;"> <p><u>June 27, 2003</u> Date</p> </div> <div style="width: 50%; text-align: center;">  Signature of Applicant, Attorney or Agent of Record <u>Marshall J. Chick 26,853</u> Typed or printed name </div> </div>							

Please type a plus sign (+) inside this box → [+] Approved for use through 10/31/2002. OMB 0651-0035

U.S. Patent and Trademark Office: U.S. DEPARTMENT OF COMMERCE

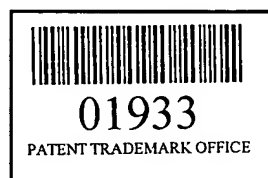
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CHANGE OF CORRESPONDENCE ADDRESS Application Address to: COMMISSIONER FOR PATENTS P.O. Box 1450 Alexandria, VA 22313-1450	Patent Number	6,063,806
	Filing Date	May 16, 2000
	First Named Inventor	Shoji Kamiya
	Group Art Unit	
	Examiner Name	
	Attorney Docket Number	01387RE/HG

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I am the:

- [] Applicant/Inventor.
- [] Assignee of record of the entire interest.
Statement under 37 CFR 3.73(b) is enclosed. (Form PTO/SB/96).
- [X] Attorney or Agent of record.
- [] Registered practitioner named in the application transmittal letter in an application without an executed oath or declaration. See 37 CFR 1.33(a)(1). Registration Number _____.

Typed or Printed

Name

Marshall J. Chick, Reg. No. 26,853

Signature

Date

June 27, 2003

NOTE: Signatures of all the inventors or assignees of record of the entire interest or their representative(s) are required. Submit multiple forms if more than one signature is required. See below.

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Patent No. 6,063,806
Amdt. dated June 27, 2003
Re: Reissue of USP 6,063,806

Attorney Docket No. 01387RE/HG

**IN THE UNITED STATES PATENT
AND TRADEMARK OFFICE**

Patent Owner: KYOTO PHARMACEUTICAL
INDUSTRIES, LTD.

Patentee : Shoji KAMIYA et al.

Patent No. : 6,063,806

Issue Date : May 16, 2000

Title : INDOLYL OR INDOLINYL
DERIVATIVES AND MEDICAL
USE THEREOF AS ACAT OR
LIPID PEROXIDATION
INHIBITORS

Express Mail Mailing Label
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Laraine Dobies

In the event that this Paper is late filed, and the necessary petition for extension of time is not filed concurrently herewith, please consider this as a Petition for the requisite extension of time, and to the extent not tendered by check attached hereto, authorization to charge the extension fee, or any other fee required in connection with this Paper to Account No. 06-1378.

**STATEMENT OF STATUS OF CLAIMS AND SUPPORT FOR
CLAIM CHANGES PURSUANT TO 37 CFR 1.173(c)**

COMMISSIONER FOR PATENTS
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S I R :

The following lists the status of claims in the above-identified patent and states support for the changes to the claims.

1. Claims 1-10 and 12-16 are cancelled.

2. Claim 11 (pending) is amended. Support for the non-deleted subject matter of claim 11 is in the original claim 11. Also, a spelling error in the first compound was corrected. This

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Re: Reissue of USP 6,063,806

is an obvious correction to an obvious error. Furthermore, the compound was correctly spelled in the original claim as filed and therefore this corrects a publishing error in the patent (see pages 93 and 94 of the original specification attached hereto).

3. Claim 17 (pending) is amended. Support for the amended claim 17 is in original claim 17. Claim 17 was dependent on claim 1 which is generic to claim 11.

4. Claims 18 and 19 are pending and not amended.

5. Claim 20 (pending) is amended. The acid addition salts listed in claim 20 are supported in the specification at column 7, lines 53-54.

6. Claims 21-27 (pending) are new claims. They separately claim the species which remain in claim 11 as now amended. Thus, they find support in claim 11.

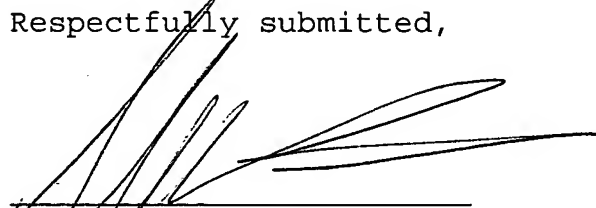
7. Claim 28 (pending) is a new claim. It finds support in Example 5 near the end of column 21, lines 62 et seq.

8. Claim 29 (pending) is a new claim. It finds support in Example 6 at column 22, line 20 et seq.

9. Claim 30 (pending) is a new claim. It finds support in Example 7 at column 22, lines 44 et seq.

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MJC/ld

Respectfully submitted,



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